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California Regional Water Quality Control Board

Los Angeles Region

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Gray Davis
Governor

Los Angeles Regional Water Quality Control Board

Minutes of the March 02, 2000 Board Meeting

Richard H. Chambers, U.S. Court of Appeals Bldg.
125 S. Grand Avenue, Pasadena

INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:12 a.m.

Board Members Present

Susan Cloke, Jack Coe, Fran Diamond, Robert Miller, Timothy Shaheen, H. David Nahai

Board Members Absent

Marilyn Lyon

Staff Present

Dennis Dickerson, Jorge Leon, Deborah Smith, Dennis Dasker, Wendy Phillips, Rod Nelson, Wayne Chiou, Sonja Gettel, Jonathan Bishop, Jaydeb Das, Hugh Marley, Robyn Goodman, Ronji Harris, Tracy Patterson, Alex Puglisi, Marleigh Wood, Raymond Jay, Letticia Aguilar

Others Present

Joseph Baiocco, L.A. County Public Works
Tom Taylor, Justified Associates
Stan Greene, Ojai Valley Sanitary District
Chris Holquist, Beazer Homes
Jim Engel, Ojai Valley Sanitary District
Suza Francina, Mayor, City of Ojai
Brenda Krout, Ojai Valley Sanitary District
Chuck Rogers, Ojai Valley Sanitary District
Brad Cooley, GeoSyntec Consultants
Katherine Rubin, L.A. Department
of Water and Power
Susan Damron, L.A. Department of
of Water and Power
Richard Jenkins, Jenkins Environmental
Steve Fleishli, Santa Monica BAYKeeper
Mark Gold, Heal the Bay
Jacqueline Lambrichts, FOLAR

Wayne Ishimoto, Chevron
Dan Beck, Boeing Company
Jacque Gamble, Las Virgenes Municipal
Water District
Brian Hooper, L.A. County Department of
Public Works
Jeff Bouse, L.A. County Department of Public
Works
Deborah Kummer, Bridlewood Homeowner
Leslie Moss, Malibu West Homeowners
Association
John & Marie Collins, Malibu West HOA
William Wishard, Malibu West HOA
Bennett Chang, Water Replenishment District
Shiaw-Jy Huitric, L.A. County Sanitation
District
Anmin Liu, City of Los Angeles, Sanitation

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David Magny, David Magny Environmental
Consulting
Carlos Santos, City of Glendale

Pledge of Allegiance.

1. Roll Call.

A roll call was taken.

2. Order of Agenda.

The Executive Officer, Dennis Dickerson recommended the following changes to the Agenda.

- Add item to present Cal/EPA Customer Service Award.
- Remove items 7.1, 7.2, 7.3, and 7.4 from the consent calendar.
- Continue item 7.5 (City of L.A. Generating Station). This item is Postponed until the April board meeting.
- Continue item 7.6 (AES Alamos LLV (Generating Station). This item is rescheduled for the April board meeting.
- Remove item 8.1 (Chandlers Sand & Gravel Company from the consent calendar.
- Remove item 10 (Ojai Valley Wastewater Treatment Plant SEP) from the consent calendar.
- Remove item 11 (Beazer Homes of So. California) from the consent calendar.
- Remove item 13 (George C. Page Museum ACL) The penalty was paid.
- Remove item 14 (GATX ACL) Calamari ACL). The penalty was paid.
- Remove item 15 (Sun Coast Calamari ACL). The penalty was paid.

3. Approval of Regular Minutes of January 26, 2000.

A motion was made to adopt the minutes.

MOTION: By Mr Coe, seconded by Ms. Cloke, and approved on a voice vote.

4. Board Member ExParte Communication Disclosure.

There were no disclosures given by the Board Members.

5. Uncontested Items Calendar.

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Recission

There was a motion to adopt the consent calendar as items 7. 8, 7.9, 7.10, 8.2, 8.3, 8.4, 8.5,

Enforcement Issues

Item 11: Beazer Homes of California

MOTION: By Ms. Diamond, seconded by Mr. Coe, and approved on a voice vote.

6. Public Forum

Steve Fleischli, Santa Monica Baykeeper, addressed the Board on general industrial stormwater permit, technology-based storm water requirements, and water quality based storm water requirements, in regards to the order that was issued by a judge recently.

7. Contested Items

The following items were removed from the consent calendar and heard separately. The Executive Assistant read the opening statement for the contested items, and Chairman Nahai opened the public hearing by giving the oath to those testifying before the Board.

7.1 – 7.4 : City of Los Angeles, Department of Water and Power (Haynes Tank Farm – Tanks A,B,C, D, E, F, G, H, and J), Long Beach

Wayne Chiou, gave the staff presentation. Mr. Chiou summarized the comments that were received, and spoke on the operation of the steam tanks. Mr. Chiou recommended the Board adopt the tentative orders with the change to the monitoring requirements on pg. 7-80, and 7-81.

Ms. Cloke asked questions of staff regarding present and future use of the tanks, and asked for specifics with regard to “minor discharges”.

Wayne Chiou responded to questions asked of Ms. Cloke.

Dennis Dickerson responded to questions of Ms. Cloke with regard to lowering monitoring requirements. He stated that after consulting with legal counsel and management, lowering the requirements is no longer staff recommendation and to please withdraw Staff interest in that change, and leave it at annual.

Susan Damron, City of Los Angeles responded to questions asked by the Ms. Cloke, and stated monitoring for Total Suspended Solids was added to the City’s permits in 1996, but unfortunately was not noticed by City staff.

After discussion of the Board, a motion was made by Chairman Nahai to adopt staffs recommendation with the following changes:



Page 7-81 and the corresponding pages for the other permits, in the section referring to priority pollutants, after the word "annually" with the same change to be made with respect to the "acute toxicity", add "(as directed by the Executive Officer.)"

MOTION: By Chairman Nahai, seconded by Ms. Diamond, and approved on a voice vote.

8. NON-NPDES PERMITS Revision (Chapter 15)

8.1 Chandler's Sand & Gravel Company (Chandler's Landfill), Rolling Hills Estates

Rodney Nelson, gave the staff presentation with some background information. He discussed tentative waste discharge requirements of Chandler's landfill in Palos Verdes. He informed the Board of the revised WDR groundwater monitoring program.

Bradford Colley, GeoSyntec Consultants/Technical Consultant to Chandler's Landfill clarified Issues raised, and agreed with staff recommendation.

John Robertson, Jr., General Manager of Chandler's Landfill, was sworn in, and gave testimony to the Board. He asked the Board for a continuance of 45 days to work out issues and WDR

Revisions. Chandler's must go before the planning commission.

Jorge Leon clarified some legal issues, and answered questions of the Board.

Richard Jenkins, Jenkins Environmental Associates representing the City of Rolling Hills Estates spoke regarding his concerns with soil from non-residential sites.

Tom Taylor, Environmental Consultant with Justice & Associates, representing Chandler's Landfill asked the Board for a continuance so the City and Chandler could hold further discussions. He indicated that he disagreed with the quarterly monitoring requirements.

Michael Russo, and Debra Hemner, residents representing the Bridlewood Homeowners Association, also gave testimony in support of the City's recommendations.

Chairman Nahai asked Dennis Dickerson his thoughts regarding testimony presented.

Dennis Dickerson indicated that he would consider amendments to the permit.

The Chairman closed the public hearing. After discussion of the Board, a motion was made to adopt the permit as recommended by staff, with the following amendments:



- Page 8-11, paragraph 5 between the words "a" and "waste", add the words "sampling (offsite and onsite) wasteload program"
- Approve staff recommendations, with addition of the recommendations in the City of Rolling Hills Estates letter of February 16, 2000
- Development and Criteria conditions will be delegated to the Executive Officer
- Remove the word "large" from paragraph 3(e), and exclude 3(d).

MOTION: By Mr. Nahai, seconded by Ms. Diamond, and approved on a voice vote.

ENFORCEMENT ISSUES

The Executive Assistant read the opening statement for all enforcement issues being heard and the Chairman gave the oath to those testifying before the Board. Each complaint was heard and voted on separately.

10. *Consideration of a Resolution to approve a proposed Supplemental Environmental Project (SEP) for the Ojai Valley Sanitation District (Ojai Valley Wastewater Treatment Plant).*

Dennis Dickerson, made a presentation to include language in case the sale of the Ojai Valley Treatment plant does not go through.

Mr. Coe stated the MOU between OVSD and the Ojai Valley Land Conservancy on the use of the OVSD's funds should cover implementation of the environmental program in addition to the purchase of the land.

Jorge Leon, staff counsel joined in the discussion and requested that the following changes be made:

Page 10-9, paragraph 1, delete and replace with " Ojai Valley Sanitation District shall provide evidence for the purpose of implementation, and shall submit a proposal by June 15, 2000.

Suza Francina, Mayor City of Ojai, gave testimony in support of staff's recommendation for OSVD.

Others who gave testimony on this matter include:

Chuck Rogers, Vice Chairman, Ojai Valley Sanitary District

James Engel, Ojai Valley Sanitation District

Mark Capelli, Friends of the Ventura River

After discussion of the Board, a motion was made to approve Staff's recommendation and the resolution as amended.

MOTION: By Mr. Coe, seconded by Ms. Cloke, and approved on a voice vote.



9. Consideration of Complaint for Administrative Civil Liability (ACL) for failure to submit Annual Reports against the following permittee of the General Permit on storm water discharges associated with Industrial Activity.

9.1 Chano's Auto Wrecking and Sales, Wilmington WDID 4B19S012843

Chairman Nahai asked if there was anyone present representing Chano's Auto. There were no representatives to give testimony on behalf of Chano's Auto.

Raymond Jay gave the staff presentation with background history, and answered questions of the Board.

After discussion of the Board, there was a motion to adopt staff recommendation which included additional penalties which changed from \$8,325 to a total of \$12, 075.

MOTION: By Chairman Nahai, seconded by Ms. Diamond, and approved on a voice vote.

11. Consideration of a Resolution to approve a proposed Supplemental Project (SEP) for Beazer Homes Southern California.

Dennis Dickerson gave a brief presentation. The Resolution was adopted with a minor modification.

MOTION: By Mr. Miller, seconded by Ms. Cloke, and approved on a voice vote.

12. Consideration of Complaint No. 99-097 for Administrative Civil Liability (ACL) against Los Angeles Turf Club (LATC) for effluent discharge violations under Section 13260 of the California Water Code.

Dennis Dickerson made brief comments to the Board and gave an update on the meetings and the discussions entered into with LATC on factual matters involving the gallonage of the spill. He informed the Board that there was agreement reached to slightly lower the ACL amount to reflect the disagreement there was regarding the uncertainty of the spill gallonage.

Jorge Leon answered questions of the Board.

After discussion of the Board, a motion was made to direct staff to issue a new ACL to the Los Angeles Turf Club in the amount of \$137,500 with the understanding that if they don't accept it, the ACL would be issued.

MOTION: By Chairman Nahai, seconded by Mr. Coe, and approved on a voice vote.

The Executive Assistant read the opening statement, and Chairman Nahai opened the public hearing and administered the Oath to those testifying before the Board.

16. Consideration of Waste Discharge Requirements (WDR) and a Time Schedule Order (TSO) for the County of Los Angeles, Department of Public Works, Trancas Water Pollution Control Plant, Malibu.

Wendy Phillips briefed the Board on "package plant".

Jaydeb Das gave the staff presentation outlining proposed regulations of a monitoring and reporting program for Trancas as well as elements of the Time Schedule Order. He also gave a brief history of the Trancas plant. Staff recommendation is that the Board adopt the Waste Discharge Requirements, Time Schedule Order, and the Monitoring and Reporting Program as proposed by staff.

Brian Hooper, Assistant Division Head of Los Angeles County Department of Public Works gave testimony and informed the Board that the decision to rehabilitate the plant was made by the County of Los Angeles Department of Public Works. He requested additional time to comply, extending the August 31, 2000 due date to January 31, 2001.

Leslie Moss, Malibu West Homeowners Association gave testimony opposing staff's recommendation. She requested that the requirements be reduced.

Heather Hoecherl, Staff Attorney for Heal the Bay spoke and urged the Board to upgrade tertiary treatment. She supports staff's recommendation, but with amendments.

William Reshard, Malibu West Homeowners Association read a letter written by Kathrine Spangle, a resident of Malibu.

Others who gave testimony to the Board:

Hohn Ernest Colling, Resident of Malibu

Jeff Bouse, Civil Engineer, L.A. County Department of Public Works

Wendy Phillips and Hugh Marley answered questions of the Board.

Mr. Bouse, and Mr. Hooper responded to questions of the Board.

Jorge Leon answered legal questions asked of Chairman Nahai.

Chairman Nahai closed the public hearing.

After discussion by the Board, there was a motion to adopt staff's recommendation with amendments as follows:

Page 16-42, item B in the seventh line between the words "for" and "monitoring", the following words will be added; "the hydraulic connection study and".



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The last line of that same paragraph, the reference to September 30, 2000 be changed to December 31, 2000.

MOTION: By Chairman Nahai, seconded by Ms. Diamond, and approved on a voice vote.

Information Items

18. Briefing of SB 709.
19. Discussion of Future Board Retreats.
20. Report of Cost Benefit Task Committee.
21. Report of Resources Task Committee.

All of the above items 18 through 21 were continued to the next shceduled meeting.

25. Adjournment of Current Meeting.

The meeting adjourned at 4:05 p.m. The next regular meeting is scheduled for May 25, 2000 at 9:00 a.m. the San Buenaventura City Hall, at

Minutes adopted at the _____ Regular Board Meeting as submitted/amended.

Written and submitted by: _____

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